

## Tennessee Judicial Conduct Board dismisses complaint against justice

By [Chris Butler](#) / September 16, 2014 / News / [No Comments](#)

By Chris Butler | Tennessee Watchdog

NASHVILLE — The state Board of Judicial Conduct has dismissed an activist's complaint that Tennessee Supreme Court Justice Gary Wade didn't abide by the very judicial conduct rules he helped create.

"Both disciplinary counsel and the investigative panel investigated and considered your complaint very seriously and felt it raised an area of concern that has been addressed," Judge Chris Craft, chair of the Tennessee Board of Judicial Conduct, reportedly wrote to Nashville activist George Scoville on Sept. 5.

"However, the panel decided the complaint did not rise to the level of judicial misconduct that is required for disciplinary action to be taken in the form of a reprimand or censure. While your complaint did not result in a discipline being imposed, it brought to the Board's attention a situation that has been addressed by other means and thus was helpful to the Board."

Administrative Office of the Courts officials did not immediately respond to requests for comment Monday as to what, precisely, Craft meant by "other means."

You can find more on the complaint and the board's response on Scoville's website, [United Liberty](#).

Wade admitted having been careless when, during last summer's judicial retention campaign, he approved a billboard in east Tennessee urging voters to retain him and two other justices. The ad named no judges.

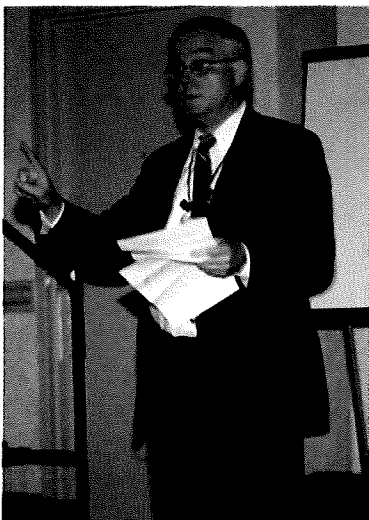


EXHIBIT 3

Photo courtesy of Flickr.

Judge Chris Craft, Board Chair of the Tennessee Board of Judicial Conduct

Tennessee's Code of Judicial Conduct, which Wade and other justices adopted in 2012, says judges and judicial candidates cannot endorse or oppose other candidates for public office.

Scoville contended Wade's actions amounted to him publicly endorsing fellow Justices Sharon Lee and Connie Clark for retention, as we have previously reported.

Wade, Clark and Lee won retention in August with roughly 56 percent of the vote.

Scoville called upon the General Assembly to reform the Judicial Conduct Board. The issue is more about hypocrisy than free speech, he previously told Tennessee Watchdog.

Craft testified before the Tennessee Senate Government Operations Committee in June that statements calling on voters to support the justices amount to a clear endorsement, and not an implied one, Scoville wrote.

"If Craft insists he did not commit perjury, all records pertaining to this investigation should be disclosed immediately for public inspection, and for review by the Senate Government Operations Committee.

"Tennesseans deserve better than a system chock full of moral hazard. It should not be the case that, because Tennessee has high rates of corruption convictions, national media dub the Volunteer State the most corrupt," Scoville wrote.

"Rather, Tennessee is corrupt because we don't have enough convictions when the corruption is as plain as the nose on one's face."

Wade responded to Scoville's original complaint by saying the violation was unintentional and quickly remedied.

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